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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/661,902	09/14/2000	Yong Ding	20752-1	9513

7590 12/13/2001

PRAXAIR TECHNOLOGY INC
Law Department M1-557
39 Old Ridgebury Road
Danbury, CT 06810-5113

EXAMINER

SPITZER, ROBERT H

ART UNIT	PAPER NUMBER
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1724

DATE MAILED: 12/13/2001

6

Please find below and/or attached an Office communication concerning this application or proceeding.

SN-6

Office Action Summary

Application No.
09/661,902

Applicant(s)
Ding et al.

Examiner
Robert H. Spitzer

Art Unit
1724



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE THREE MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 23, 26, and 27 is/are allowed.
- 6) ☒ Claim(s) 1-22, 24, 25, and 28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- *See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 4 and 5 20) ☐ Other: _____

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DETAILED ACTION

1. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

2. Claims 23, 26 and 27 are allowed.

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-22, 24, 25 and 28 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1, 6, 15, 18, 24, 25 and 28 are indefinite because they use "the said" to refer to previously recited elements. "The" and "said" should not be used together, as each word, individually, has a different legal meaning in the writing of claims. Claims 6 is further indefinite because in line 2, there is no direct antecedent basis for the recitation of "said counter ion". Independent claim 7 is indefinite because in lines 1 and 2, there is no direct antecedent basis for the recitation of "said protonated tertiary amine". It appears that claim 7 should be a dependent claim and depend from claim 6. Claim 8 is indefinite because there is no direct antecedent basis for the following recitations: "said polyimide membrane" in line 2, as line 1 recited "A polyamide fluid separation membrane"; "the polyamic acid salt polymer" in line 4; and, "said solidified coating" in line 11. Claim 11 is indefinite because there is no direct antecedent

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basis for the recitation of "said hollow fiber substrate" in claim 8. Claim 18 is further indefinite because in lines 2 and 3, there is no direct antecedent basis for the recitation of "said thermal imidization temperature". Claim 28 is further indefinite because in line 2, there is no direct antecedent basis for the recitation of "said counter ion". Claims 2-5, 9, 10, 12-14, 16, 17 and 19-22 are indefinite because they depend from the above indefinite claims.

5. Claims 1-22, 24, 25 and 28 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

6. The references listed on both the PTO-892 and the two PTO-1449's show art of interest only.

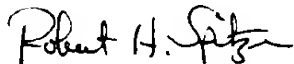
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert H. Spitzer whose telephone number is (703) 308-3794. The examiner can normally be reached on Monday-Thursday from 5:30 a.m. to 4:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Simmons, can be reached on (703) 308-1972. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-7718.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.

R.H. Spitzer/dh

December 12, 2001


ROBERT H. SPITZER
PRIMARY EXAMINER
T.C. 1700
December 12, 2001